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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$) 240.00

Complete If Known:

Application No. 09/532,411

Filing Date 3/22/00

First Named Inventor Zhang

Group Art Unit Not yet assigned

Examiner Name Not yet assigned

Attorney Docket No. 42390.P8265

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number _____

Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check

Money Order
Other

*RECEIVED
MAR 04 2002
OFFICE OF PETITIONS*

FEE CALCULATION

1. BASIC FILING FEE

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Utility application filing fee	_____
101	740	201	370	Design application filing fee	_____
106	330	206	165	Plant filing fee	_____
107	510	207	255	Reissue filing fee	_____
108	740	208	370	Provisional application filing fee	_____
114	160	214	80		

SUBTOTAL (1) \$ 0

2. EXTRA CLAIM FEES

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims		- 20** =	X	=
Independent Claims		- 3** =	X	=
Multiple Dependent			X	=

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

				<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Claims in excess of 20	_____
103	18	203	9	Independent claims in excess of 3	_____
102	84	202	42	Multiple dependent claim, if not paid	_____
104	280	204	140	**Reissue independent claims over original patent	_____
109	84	209	42	**Reissue claims in excess of 20 and over original patent	_____
110	18	210	9		

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee		
Code	(\$)	Code	(\$)

105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	110.00
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
SUBTOTAL (3) \$ 240.00					

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Maria McCormack Sobrino

Signature: Maria McCormack Sobrino Date: February 6, 2002

Reg. Number: 31,639 Telephone Number: 408-720-8300

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on February 6, 2002

Date of Deposit

Cheri Clinkenbeard

Name of Person Mailing Correspondence
Clinkenbeard

Signature

2/6/02

Date



Attorney's Docket No.: 42390.P8265

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kevin X. Zhang

Application No.: 09/532,411

Filed: March 22, 2000

For: SHARED CACHE WORDLINE DECODER
FOR REDUNDANT AND REGULAR
ADDRESSES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On:

2/16/02

Date of Deposit

Cheri Ann Kenney
Name of Person Mailing Correspondence

McMenamin Blvd 2/16/02

Date

Signature

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

PETITION FOR REVIVAL OF A PATENT ABANDONED UNAVOIDABLY
UNDER 37 CFR 1.137(a)

Sir:

The above identified application became abandoned for failure to file a timely and proper reply to the Notice to File Missing Parts mailed on June 6, 2000. A Notice of Abandonment mailed on January 7, 2002 and was received by Applicant's representatives on January 14, 2002 (copy attached).

Applicant hereby petitions for revival of this application. In support of Applicant's petition, please find enclosed:

- (1) a copy of the Notice of Abandonment;
- (2) a statement establishing unavoidable delay;
- (3) the response to the Notice to File Missing Parts;

(4) a check in the amount of \$110.00 in payment of the petition fee established by 37 C.F.R. § 1.17(l);

(5) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;

(5) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: February 6, 2002

Maria McCormack Sobrino
Maria McCormack Sobrino
Reg. No. 31,639

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO/TITLE
09/532,411	03/22/2000	Kevin X. Zhang	42390.P8265

Michael J Mallie
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026

CONFIRMATION NO. 8316
ABANDONMENT/TERMINATION
RECEIVED
LETTER
MAR 04 2002
OC00000007274131
OFFICE OF PETITIONS

Date Mailed: 01/07/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/06/2000.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 208-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No.: 42390.P8265

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kevin X. Zhang

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Application No.: 09/532,411 MAR 04 2002

Filed: March 22, 2000

OFFICE OF PETITIONS

For: SHARED CACHE WORDLINE DECODER
FOR REDUNDANT AND REGULAR
ADDRESSES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231
On 2/16/02 Date of Deposit
Cheri Clinkenbeard Name of Person Mailing Correspondence
CClinkenbeard 2/16/02 Signature Date

STATEMENT ESTABLISHING UNAVOIDABLE DELAY

The original Notice to File Missing Parts for the above identified application was not received by Applicant's representatives ("Applicant").

Applicant, in the exercise of due care and diligence, follow the following procedures to insure docketing of U.S Patent and Trademark Office (USPTO) correspondence due dates triggered by receipt of USPTO correspondence.

All USPTO correspondence is initially forwarded to our docketing department which examines the correspondence and generates at least one docket entry which includes a "due date" for an action such as the filing of a response to the correspondence. The entries generated are typically standardized for standard USPTO correspondence such as the notice to file missing parts ("the Notice") of interest. Thus, for the Notice, a docket entry with a due date of 2 months from the mailing date of the Notice would have been generated. Additional entries, reflecting due dates with corresponding

extensions of time (e.g., 1 month, 2 month, etc.) would also have been generated. Once the docketing department generates the docket entries, the due dates are noted on the correspondence and the correspondence is forwarded to the responsible attorney/agent.

Subsequently, as the due date approaches and has passed, docket reminders are issued to remind the responsible attorney/agent that an action is required.

After receipt and recordation of the return postcard in the above identified application, no other Office communications were received until January 14, 2002, on which date Applicant received the Notice of Abandonment mailed January 7, 2002 (copy attached). Applicant respectfully submits that the Notice of Missing Parts mailed by the USPTO on January 7, 2002 was never received by the Applicant. There are no docket entries in our docketing system reflecting the receipt of and the response due dates for the Notice. Furthermore, we did not find the Notice after careful examination of our files.

In accordance with the facts accounted herein, the entire delay in filing the required reply from the date for the reply until the filing of the present grantable petition pursuant to 37 CFR 1.137(a)(3) was unavoidable. Therefore, Applicant respectfully petitions the Office to revive the above identified application.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: February 6, 2002

Maria McCormack Sobrino

Maria McCormack Sobrino

Reg. No. 31,639

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598

FEB 21 2002

Attorney's Docket No.: 42390.P8265

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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kevin X. Zhang

Application No.: 09/532,411

Filed: March 22, 2000

For: Shared Cache Wordline Decoder for
Redundant and Regular Addresses

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail with
sufficient postage in an envelope addressed to the
Assistant Commissioner for Patents, Washington, D.C. 202

On 31/6/02

Chen Clintonbeard Date of Deposit
Clintonbeard Name of Person Mailing Correspondence
Clintonbeard Signature 31/6/02 Date

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed June 6, 2000, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. § 1.16(e);

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OFFICE OF PETITIONS

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: February 6, 2002

Maria McCormack Sobrino

Maria McCormack Sobrino

Reg. No. 31,639

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8599



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Attorney's Docket No.: 42390.P8265

PATENT

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(FOR INTEL CORPORATION PATENT APPLICATIONS)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SHARED CACHE WORDLINE DECODER FOR REDUNDANT AND REGULAR ADDRESSES

the specification of which

X is attached hereto.
was filed on (MM/DD/YYYY) March 22, 2000 as
United States Application Number 09/532,411
or PCT International Application Number _____
and was amended on (MM/DD/YYYY) _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

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<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number	(Filing Date – MM/DD/YYYY)
Application Number	(Filing Date – MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	(Filing Date – MM/DD/YYYY)	Status -- patented, pending, abandoned
Application Number	(Filing Date – MM/DD/YYYY)	Status -- patented, pending, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Maria McCormack Sobrino, BLAKELY, SOKOLOFF, TAYLOR & (Name of Attorney or Agent)
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to Maria McCormack Sobrino, (408) 720-8300.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Kevin X. Zhang

Inventor's Signature Kevin X. Zhang Date 1/31/2002

Residence Portland, Oregon Citizenship Peoples Republic of China
(City, State) (Country)

Post Office Address 14258 N.W. Tradewind St.
Portland, OR 97229

Full Name of Second/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

Full Name of Third/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

APPENDIX A

Ramin Aghevli, Reg. No. 43,462; William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Jordan Michael Becker, Reg. No. 39,602; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Jae-Hee Choi, Reg. No. 45,288; Thomas M. Coester, Reg. No. 39,637; Robert P. Cogan, Reg. No. 25,049; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; Andre Gibbs, Reg. No. 47,593; James Y. Go, Reg. No. 40,621; Melissa A. Haapala, Reg. No. 47,622; Alan Heimlich, Reg. No. 48,808; James A. Henry, Reg. No. 41,064; Libby H. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Steve Laut, Reg. No. 47,736; George Brian Leavell, Reg. No. 45,436; Samuel S. Lee, Reg. No. 42791; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Julio Loza, Reg. No. 47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. 48,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Richard A. Nakashima, Reg. No. 42,023; Stephen Neal Reg. No. 47,815; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; Michael A. Proksch, Reg. No. 43,021; Randol W. Read, Reg. No. 43,876; William F. Ryann, Reg. No. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; Saina Shamilov, Reg. No. 48,266; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Ronald S. Tamura, Reg. No. 43,179; Edwin H. Taylor, Reg. No. 25,129; Lance A. Termes, Reg. No. 43,184; John F. Travis, Reg. No. 43,203; Kerry P. Tweet, Reg. No. 45,959; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Brent Vecchia, Reg. No. 48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Charles P. Landrum, Reg. No. 46,855; Suk S. Lee, Reg. No. 47,745; and Raul Martinez, Reg. No. 46,904; Brent E. Vecchia, Reg. No. 48,011; Lehua Wang, Reg. No. P48,023; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and Alan K. Aldous, Reg. No. 31,905; Ed Brake, Reg. No. 37,784; Ben Burge, Reg. No. 42,372; Robert A. Burtzlaff, Reg. No. 35,466; Richard C. Calderwood, Reg. No. 35,468; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; Jeffrey B. Huter, Reg. No. 41,086; John Kacvinsky, Reg. No. 40,040; Seth Z. Kalson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; Peter Lam, Reg. No. 44,855; Anthony Martinez, Reg. No. 44,223; Paul Nagy, Reg. No. 37,896; Dennis A. Nicholls, Reg. No. 42,036; Leo V. Novakoski, Reg. No. 37,198; Lanny Parker, Reg. No. 44,281; Thomas C. Reynolds, Reg. No. 32,488; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Robert G. Winkle, Reg. No. 37,474; Sharon Wong, Reg. No. 37,760; Steven D. Yates, Reg. No. 42,242; Calvin E. Wells, Reg. No. 43,256 and Charles K. Young, Reg. No. 39,435, my patent agents, of INTEL CORPORATION; and James R. Thein, Reg. No. 31,710, my patent attorney; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.
- A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.
- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.